

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 1:06 CR 125-10
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
J. SANTANA HERNANDEZ-GOMEZ,)	<u>ORDER ACCEPTING PLEA</u>
)	<u>AGREEMENT, JUDGMENT AND</u>
)	<u>REFERRAL TO U. S. PROBATION</u>
Defendant)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli, regarding the change of plea hearing of J. Santana Hernandez-Gomez, which was referred to the Magistrate Judge with the consent of the parties.

On May 9, 2006, the government filed a four-count superseding indictment against Defendant J. Santana Hernandez-Gomez, for conspiracy to smuggle Aliens into and within the United States, as defined in Title 8, United States Code, Section 1324(a)(1)(A)(v)(I), and Conspiracy to Commit Mail Fraud, Wire Fraud, Document Fraud and Structuring Financial Transactions as defined in Title 18, United States Code, Section 371 .

On November 6, 2006, defendant was arraigned and pled guilty to counts 1 and 2 of the superseding indictment. Magistrate Judge Nancy Vecchiarelli received Defendant

Hernandez-Gomez's plea of guilty to counts 1 and 2, and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Magistrate Judge Vecchiarelli filed her R&R on November 6, 2006.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Hernandez-Gomez is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Hernandez-Gomez is adjudged guilty of Counts One and Two in violation of Title 8 Section 1324 (a)(1)(A)(v)(I).

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR. _____
UNITED STATES DISTRICT JUDGE